

59158 U. PTO



02/18/97

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

FEB 13, 1997

Larry L. Huston

32,994

Name of Attorney

Registration No.

Signature of Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN RE APPLICATION OF
LETHA M. HINES
ROBB E. OLSEN
SERIAL NO.: 08/383,550 ✓
FILED: FEBRUARY 3, 1995
FOR: SANITARY NAPKIN HAVING
CORE PREDISPOSED TO A
CONVEX UPWARD
CONFIGURATION
P&G CASE: 5006C

GROUP ART UNIT: 3308
EXAMINER: CHO

RESPONSE TO ADVISORY ACTION DATED FEBRUARY 5, 1997

The Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

FEB 27 1997

Dear Sir:

GROUP 3300

REMARKS

Appellants submitted the original Appeal Brief in this case September 20, 1996. By Notification of Defective Brief dated December 4, 1996, Appellants were advised that Brief did not contain the required Appendix of the claims.

On January 2, 1997, Appellants submitted triplicate copies of a revised Brief and claims. The Brief was contained in pages 1-4. The Appendix was contained in pages 5-7. All were part of the same document on the word processor.

The subject Advisory Action states the revised Brief submitted January 2, 1997 also did not contain the required Appendix. Appellants believe such an Appendix was included with the revised Brief for the following reasons.

1. The file copy of the revised Brief shows the Appendix to be included with the Brief and part of the same document on the word processor.¹

2. The postcard returned from the PTO and stamped by the mailroom (copy enclosed) states that, *inter alia*, an APPEAL BRIEF WITH APPENDIX (ORIGINAL + 3 COPIES) was sent and received by the PTO.

¹ In contrast, Appellants' file copy of the first Brief does not show the Appendix to have been included.

Received: RESPONSE TO NOTIFICATION OF DEFECTIVE BRIEF
DATED DECEMBER 4, 1996 AND APPEAL BRIEF
WITH APPENDIX (ORIGINAL + 3 COPIES)

Inventors: LETHA M. HINES
ROBB E. OLSEN

Serial No.: 08/383,550

Filing date: FEBRUARY 3, 1995

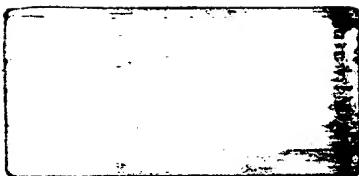
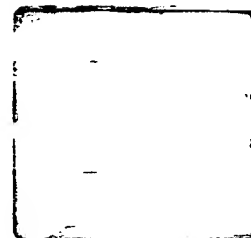
P&G Case # 5006C

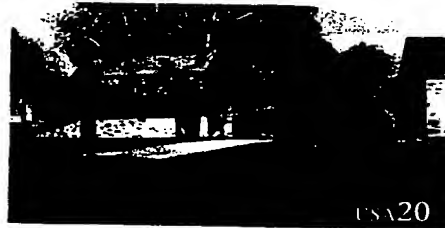
LLH/clm

1/2/97

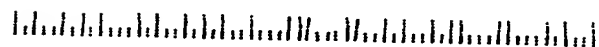


JUN 2 1997
PROCTER & GAMBLE
TISSUE/TOWEL/FACIAL





MR. LARRY L. HUSTON
THE PROCTER & GAMBLE COMPANY
WINTON HILL TECHNICAL CENTER
6100 CENTER HILL ROAD
CINCINNATI, OHIO 45224



Received: RESPONSE TO NOTIFICATION OF DEFECTIVE BRIEF
DATED DECEMBER 4, 1996 AND APPEAL BRIEF
WITH APPENDIX (ORIGINAL + 3 COPIES)

Inventors: LETHA M. HINES
ROBB E. OLSEN

Serial No.: 08/383,550
Filing date: FEBRUARY 3, 1995
P&G Case # 5006C

LLH/clm
1/2/97



JAN 2 1997
PROCTER & GAMBLE (P&G) DESIGN
TISSUE/TOWEL/FACIAL